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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,182	12/21/2001	George C. Allen JR.	P21747	4402
7055	7590	06/10/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			HARPER, KEVIN C	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	

2666

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,182

Applicant(s)

ALLEN ET AL.

Examiner

Kevin C. Harper

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/04, 11/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

Applicant's arguments, filed March 2, 2005, with respect to the rejection of claims 1-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of Borchering, Gausmann et al. and Chu et al.

The indicated allowability of claims 19-20 is withdrawn in view of the newly discovered reference(s) to Voit et al. Rejections based on the newly cited reference(s) follow.

Claim Objections

1. Claims 7-12 are objected to because in claim 7, line 8, --forwarding-- should be inserted before "the broadband signaling from". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Borchering (US 5,867,571).

2. Regarding claim 1, Borchering discloses a distributed virtual tandem switching system (fig. 1) comprising a centralized CS-IWF device (item 180) serving several T-IWFs (items 175, 145, 155; col. 4, lines 38-45) and performing call control functions (col. 3, lines 40-41). The CS-IWF device provides a single connection (item 143) between a narrowband signaling (item 160-162) and broadband signaling (col. 4, lines 38-42) in a packet switching network (items 140-150)

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and provides call processing and control within the packet network so that telephone calls originating and terminating within a public switched telephone network are transmitted through the packet network (fig. 2B, steps 224 and 228).

3. Regarding claim 6, the CS-IWF device (item 180) dynamically sets up individual switched virtual connections across the packet network (col. 4, liens 53-57).

Claims 7-8, 10, 12-14, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gausmann et al. (US 6,009,100).

4. Regarding claims 7 and 13, Gausmann a method in a distributed tandem switching system (figs. 3 and 4) for transporting voice across a data network (fig. 3, item 302; fig. 4, item 402) comprising receiving narrowband signaling at a CS-IWF device (fig. 3, item 324 or fig. 4, item 423), converting between narrowband signaling and broadband signaling for call processing and control within the data network (col. 4, lines 45-48), and forwarding the broadband signaling from the CS-IWF device to the data network so that telephone calls originating and terminating within a PSTN are transmitted through the data network (col. 5, lines 40-41). Further regarding claim 13, the method uses a computer readable medium storing a program code (col. 7, lines 16-17).

5. Regarding claims 8, 10, 14 and 16, the narrowband signaling is SS7 signaling (col. 7, lines 15-16; note: ISUP) and the broadband signaling is B-ISUP.

6. Regarding claim 12 and 18, an individual switched virtual connection is dynamically set up (col. 4, lines 15-18 and 25-30).

Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Voit et al. (US 6,870,827).

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7. Voit discloses a distributed virtual tandem switch (fig. 3, item 92) including first and second T-IWF devices (fig. 5, items 128; fig. 3, item 92 and 94) that converts trunks from end offices to data packets (col. 7, lines 46-49). The switch comprises a CS-IWF device that performs call control functions and converts between narrowband signaling and broadband signaling for call processing and control within the packet network (col. 7, lines 29-39), where telephone calls originating and terminating within an AIN network (col. 6, lines 43-47) are transmitted through the packet network (fig. 6B, step 224; col. 9, lines 30-32).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 2-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borchering (US 5,867,571) in view of Chu et al. (US 5,956,334).

8. Regarding claims 2-3 and 5, Borchering discloses narrowband and broadband signaling (fig 1, item 103 and 162; col. 4, lines 38-42), but does not specifically disclose SS7, PNNI or UNI. Chu discloses SS7 for narrowband signaling (fig. 4, step 10), and PNNI and UNI for broadband signaling (col. 3, lines 35-46). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have SS7, PNNI and UNI in the invention of Borchering in order to provide standardized signaling formats within a communications network (Chu, col. 3, lines 42-48).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Borchering (US 5,867,571) in view of Gausmann et al. (SU 6,009,100).

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9. Borchering discloses broadband signaling (fig 1, item 103 and 162), but does not specifically disclose SS7, PNNI or UNI. Gausmann discloses broadband signaling as B-ISUP (col. 7, lines 15-16). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have B-ISUP in the invention of Borchering in order to provide a standardized broadband signaling formats within a communications network.

Claims 9, 11, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gausmann et al. (SU 6,009,100) in view of Chu et al. (US 5,956,334).

10. Regarding claims 9, 11, 15 and 17, Gausmann discloses converting narrowband signaling to broadband signaling (fig. 4, item 423). However, Gausmann does not disclose that the broadband signaling is PNNI or UNI. Chu discloses using standardized network interfaces such as PNNI and UNI in an ATM network (col. 3, lines 35-48). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to convert signaling to PNNI or UNI broadband signaling in the invention of Gausmann in order provide standardized broadband signaling formats within a communications network (Chu, col. 3, lines 42-48).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (US 6,870,827) in view of Chu et al. (US 5,956,334).

11. Voit discloses transmitting calls though an ATM network col. 7, lines 39-40). However, Voit does not disclose providing switched virtual connections dynamically in the ATM network. Chu discloses providing a SVC in an ATM network (col. 3, lines 61-67) for end-to-end voice calls. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a SVC in the network of Voit in order to efficiently allocate bandwidth (Chu, col. 3, lines 18-20).

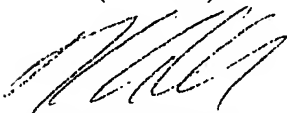
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:30 AM to 7:00 PM ET.

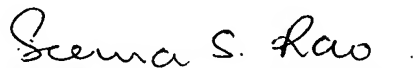
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

June 9, 2005


SEEMA S. RAO 6/9/05
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